

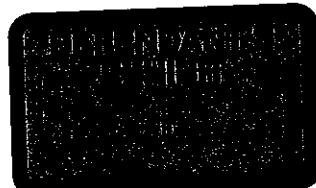
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ERIC L. JEFFRIES, :
Plaintiff, : Case No. C-1-02-351
vs. : (Judge Beckwith)
CENTRE LIFE INSURANCE COMPANY, : (Magistrate Judge Hogan)
et al., :
Defendants. : **AFFIDAVIT OF PETER M.**
: **BURRELL**

STATE OF OHIO)
) ss.;
COUNTY OF HAMILTON)

I, Peter M. Burrell, being first duly cautioned and sworn, state as follows:

1. I am over 18 years of age and make this statement based on personal knowledge.
2. I am trial counsel of record in the case of Jeffries v. Centre Life Insurance Company, et al.
3. On the morning of October 17, 2003 I received a phone call from Mr. Roberts shortly after 9:00 a.m.
4. Mr. Roberts was irate and stated that he was unaware that the deposition of Dr. Fritz had been scheduled for that morning. At the time I spoke to Mr. Roberts he was driving into his office and he noted that he had an appointment at his office that morning. By the end of our conversation, he had pulled into his parking garage and I heard him identify himself to the garage attendant.



5. At the same time Mr. Roberts was attempting to get to his office, the deposition of Dr. Fritz was ongoing. I understand Mr. Roberts did not choose to go to the deposition location but instead proceeded to his office.

Further affiant sayeth naught.

Peter M. Burrell

Sworn to and subscribed in my presence this _____ day of October 2003.

Notary Public

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